

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
 V.) CASE NO: 1:07-cr-29-MEF
)
 JOHNNY WAYNE CLARK)

MOTION TO WITHDRAW AS COUNSEL
AND APPOINTMENT OF CJA PANEL ATTORNEY

COMES NOW undersigned counsel, Donnie W. Bethel, and moves to withdraw as counsel for defendant on the following ground:

1. On April 30, 2007, undersigned counsel discovered that a conflict exists between attorney and client which requires counsel to withdraw from further representation of Mr. Clark.

2. Undersigned counsel requests that on behalf of Mr. Clark that CJA panel attorney Russell Duraski be appointed to represent him in all further proceedings in this case. Mr. Clark will not be prejudiced by such a change in counsel at this time.

WHEREFORE, based upon the above, undersigned counsel requests that his motion to withdraw as counsel for defendant be granted.

Dated this 1st day of May, 2007.

Respectfully submitted,

s/ **Donnie W. Bethel**
DONNIE W. BETHEL
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IN Bar Code: 14773-49

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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

A. Clark Morris
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
Assistant Federal Defender
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